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Conference of the Parties to the Minamata Convention on Mercury
Second meeting
Geneva, 19–23 November 2018
Item 5 (a) of the provisional agenda*

Matters for consideration or action by the Conference of the Parties: releases

Guidance in relation to mercury releases

Note by the secretariat

1. At its first meeting, the Conference of the Parties to the Minamata Convention on Mercury considered the development of guidance in relation to mercury releases as required pursuant to paragraph 7 of article 9. To provide clarity regarding the nature of such releases, the Conference of the Parties, in its decision MC-1/17, encouraged parties to identify relevant point sources at the national level pursuant to paragraphs 2 (b) and 3 of article 9 as soon as possible, and to submit information to the secretariat on the identified relevant sources.

2. By that decision, the secretariat was requested to compile submissions from parties and provide such information to the Conference of the Parties at its second meeting.

3. The secretariat circulated a call for submissions in November 2017, including a request to parties to submit information on the identified relevant sources. The deadline for submissions was set at 30 June 2018. This call was circulated to all parties and other stakeholders, particularly those who had attended the first meeting. Subsequently, a reminder was sent to the same distribution list.

4. As at 9 July 2018, submissions had been received from two parties to the Convention. Both parties indicated in their submissions that they had considered sources of releases of mercury and mercury compounds within their territory and had not identified any sources that fell under the definition provided in paragraph 2 (b) of article 9 of the Convention, namely "any significant anthropogenic point source of release as identified by a Party that is not addressed in other provisions" of the Convention. The submissions are available on the Convention website at http://mercuryconvention.org/Meetings/Intersessionalnbsp;work/tabid/6325/language/en-US/Default.aspx.

5. While the Conference of the Parties in its decision encouraged parties to identify relevant point sources at the national level pursuant to paragraphs 2 (b) and 3 of article 9 as soon as possible, the obligation under article 9 is for parties to do this "no later than three years after the date of entry into force of the Convention for [the party in question] and on a regular basis thereafter". Furthermore, parties are required to include information on implementation of this article in reports submitted pursuant to Article 21. The Conference of the Parties in its decision MC-1/8 decided that the first full reports should be submitted by 31 December 2021. By that time, the extent and nature of releases will be clearer, and the Conference of the Parties will be better placed to develop relevant guidance on their management.

* UNEP/MC/COP.2/1.

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Suggested action by the Conference of the Parties

6. As there are currently no identified relevant sources of releases under article 9 of the Convention, the Conference of the Parties may wish to defer any work on the development of guidance on best available techniques and best environmental practices until after the first full reports from parties by 31 December 2021. Parties may wish to provide relevant information to the secretariat as it becomes available, and the Conference of the Parties may wish to reconsider the issue at its first meeting after the submission of the full reports. A draft decision is set out in the annex to this note.

Annex

Draft decision MC-2/[XX]: Releases

The Conference of the Parties,

Recognizing the requirement for the Conference of the Parties to adopt, as soon as practicable, guidance on best available techniques and best environmental practices for controlling releases from relevant sources, and on the methodology for preparing inventories of releases from such sources,

Noting that, to date, no information has been submitted identifying relevant point sources within the scope of article 9,

Recognizing that Parties will report on their relevant sources of releases and on measures for controlling them in their reports pursuant to Article 21,

1. *Decides* to take action on the development of guidance on best available techniques and best environmental practices to control releases from relevant sources, following consideration of the reports from Parties pursuant to Article 21;

2. *Encourages* the submission of available information on relevant point sources to the secretariat in the interim period pending submission of the full reports pursuant to Article 21;

3. *Requests* the secretariat to compile information from the reports of Parties and other sources, and to provide such information to the Conference of the Parties at its first meeting following the submission of full reports.